IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 19137 of 2004(C)

PETITIONER:

K.P.SASI, S/O. PRABHAKARAN,
KOVATTU HOUSE, MAMBRA, THRISSUR DISTRICT.

BY ADV. SRI.G.HARIHARAN

RESPONDENTS:
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1. THE DISTRICT COLLECTOR, ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
CHENGAMANAD POLICE STATION, CHENGAMANAD.

3. THE SECRETARY, ANNAMANADA GRAMA
PANCHAYATH, ANNAMANADA, THRISSUR DISTRICT.

BY ADV. SRI.O.D.SIVADAS
BY GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.19137/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PERMIT DT. 18.10.03.

EXT.P2:- COPY OF THE REQUEST DT. 19.11.03 SUBMITTED BY THE 2ND RESPONDENT.

EXT.P3:- COPY OF THE PERMIT DT. 18.11.03.

EXT.P4:- COPY OF THE PERMIT DT. 18.11.03.

EXT.P5:- COPY OF THE REPORT DT. 19.11.03.

EXT.P6:- COPY OF THE REPRESENTATION DT. 4.12.03.

EXT.P7:- COPY OF THE ORDER DT. 31.12.03 PASSED BY THE 1ST RESPONDENT.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

W.P. (C). NO. 19137 OF 2004

Dated this the 15th day of June, 2007.

J U D G M E N T

Prayer in this writ petition is for refund of an amount of Rs. 10,000/- remitted with the first respondent. It is seen from Exhibit P7 that the amount remitted was pursuant to the directions issued by this Court in W.P.(C) No. 37170/2003.

2. According to the petitioner, river sand that was transported was under due authorization from the panchayath. However, the District Collector has noted that the petitioner did not produce any evidence regarding such authorization. If the petitioner has evidence to establish that the sand that was transported at the time of seizure was under due authorization, it will be open to the petitioner to point out the same before the District Collector, in which case, the matter will be duly considered by the District Collector with notice to the petitioner and Grama Panchayath and appropriate action in accordance with law will be taken, within another four months.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp